

Informational Points on HB 4770, HB 4771 and HB 4772

**Provided by the Negligence Law Section, State Bar of Michigan
June 13, 2013**

The Negligence Law Section of the State Bar of Michigan represents both plaintiff and defense attorneys who practice in the areas of civil liability. Our clients are both accident victims and defendants, and our goal is to ensure that our civil justice system works efficiently and fairly for both parties of a lawsuit. The opinion of the Negligence Law Section is separate from and does not necessarily represent the views of the State Bar of Michigan as a whole.

The Negligence Law Section worked with Representatives Graves, Lipton and Cotter on this package of bills with the goal of sheltering accident victims from solicitations from numerous providers of services, be they legal, medical, or other. We feel that restricting such solicitations for a period no less than 30 days after an injury occurs will protect the public from receiving a myriad of advertisements and promotional literature that can be confusing. Moreover, we feel that granting such a grace period will help improve the public standing of members of the legal, medical, home service and other professions who are often decried for overzealous solicitation of injury victims.

In addition to making it illegal to solicit injury victims for a period of 30 days, the package of bills would also restrict public access to police reports of auto accidents for 30 days. Since many solicitors use police accident reports to identify potential clients, this prohibition will help cut off access to that information. We are hopeful that by restricting solicitation and access to police reports for 30 days, injury victims will have more time to assess their options before being deluged with sometimes conflicting materials.

None of these bills prevent an injury victim from seeking out medical or legal advice on their own volition. There are also safeguards to make sure that police reports are available with no delay to persons with a legitimate need, such as the accident victim themselves or members of their families. The goal of these bills is not to restrict a victim's access to the care or advice they need. Rather they seek merely to prevent their mailboxes from being flooded with solicitations sometimes even before they return home from the hospital.

The Negligence Law Section is grateful to Representatives Graves, Lipton and Cotter for their leadership on this issue, and we urge members of the Legislature to support these bills.

Authority: 1949 PA 300, Sec.257.822
Compliance: Required MSP UD-10E
Penalty: \$100 and/or 90 days (Rev 11/2006)

External # 105515
Crash ID

Page 1
Incident # 1317302114 File Class : 93001
Incident Disposition
Closed
Reviewer
Sgt. TRAVIS HENIGE (015)

STATE OF MICHIGAN TRAFFIC CRASH REPORT

ORI: MI7317300	Department Name Saginaw County Sheriff's Office							
Crash Date 05/30/2013	Crash Time 15:23	No. of Units 02	Crash Type Head On Left Turn	Special Circumstances <input type="checkbox"/> School Bus <input type="checkbox"/> None <input type="checkbox"/> Hit and Run <input type="checkbox"/> Deer <input type="checkbox"/> Fleeing Police	Special Checks <input type="checkbox"/> Fatal <input type="checkbox"/> Non-Traffic Area <input type="checkbox"/> ORV/Snowmobile			
County 73 - SAGINAW	Traffic Control Stop sign	Relation to Roadway On Road	Special Study None	Weather Cloudy	Area 07 - NON-FRWY in Intersection			
City/Twp 6 - BRIDGEPORT TWP	Construction Zone (if applicable) Type	Lane Closed	Activity	Light Daylight	Road Condition Dry	Total Lanes 04	Speed Limit 55	Posted No

Prefix DIXIE	Road Name DIXIE	Road Type HWY	Suffix Divided Roadway
Distance (ft.) 35.0 Feet SE	Traffic Way 01 - Not physically divided	Access Control 01 - No access control	
Prefix E	Intersecting Road CURTIS	Road Type RD	Suffix Divided Roadway

Unit Number 01	Unit Known Y	State MI	Driver License Number 1507355464604	Date of Birth (Age) 09/06/1946 (67)	License Type <input checked="" type="checkbox"/> Operator <input type="checkbox"/> Chauffeur <input type="checkbox"/> Other	Endorsements <input type="checkbox"/> Cycle <input type="checkbox"/> Farm <input type="checkbox"/> Recreation	Sex F	Total Occupants 01	Hazardous Action 03 - Failed to yield	
Unit Type MV	Driver Information SHARON KATHERINE JOHNSON 7375 E CURTIS RD FRANKENMUTH MI 48734 (989)737-0835				Injury A	Position 01	Restraint 04	Hospital 730050		
Driver Contact # 1 02 03 04 05 06 07 08 09 009	No	Ejected No	Trapped Yes	Airbag Deployed Yes	Ambulance 731021					
Alcohol O Yes Test Type O Field	No O Refused OPBT	Not Offered OBreath	Blood O Blood	Urine O Urine	Drugs O Yes Test Type O No	OBlood	Urine O Urine	Test Results	Citation Issued O Hazardous O Other	
Vehicle Registration 1DQY47	State MI	Insurance/Policy # HOME OWNERS 42-242621-00	Towed To/By # MIKES / MIKES	Special Vehicles Private Trailer Type	Vehicle Defect					
VIN 3GNFK16R8XG263856	Vehicle Description CHEVROLET	Make K15	Color BLU	Year 1999	Vehicle Type Passenger Car					
Location of Greatest Damage 02	First Impact 02	Extent of Damage 06	Driveable No	Vehicle Direction S	Vehicle Use 01 - Private	Action Prior 02 - Turning left				
Sequence of Events (# Indicates MOST harmful event) • 17 - Motor veh in transport										

Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital
	Injury	Airbag Deployed	Ejected	Trapped	Ambulance
Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital
	Injury	Airbag Deployed	Ejected	Trapped	Ambulance
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Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital
	Injury	Airbag Deployed	Ejected	Trapped	Ambulance
Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital
	Injury	Airbag Deployed	Ejected	Trapped	Ambulance

Carrier Information	Carrier Source GVWR	ICCMC	USDOT	MPSC			
Driver's CDL Type	Endorsements OH OP OT ON OS OX	CDL Exempt O Farm O Other	CDL Restrictions O28 O29 O30 O35 O36				
Interstate/Intrastate	Vehicle Type	Type and Axle Per Unit First Second Third Fourth	Cargo Body Type	Medical Card	Hazardous Material O Placard O Cargo Spill	ID #	Class #

Owner Information	Owner Information
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Person Advised of Damaged Traffic Control Contact Name : Contact Date : Contact Time :	Damaged Property Owner and Phone	Public
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05/30/2013 1317302114

Unit Number 02	Unit Known Yes	State MI	Driver License Number B423139244374	Date of Birth (Age) 05/17/1951 (62)	License Type • Operator • Chauffeur • Moped	Endorsements • Cycle • Farm • Recreation	Sex F	Total Occupants 03	Hazardous Action 00 - None
Unit Type MV	Driver Information DEBORAH FAYE BLASDELL 5286 BUSCH RD BIRCH RUN MI 48415				Injury A	Position 01	Restraint 04	Hospital 730061	
Driver Condition • 1 02 03 04 05 06 07 08 09 099				Interlock No	Ejected	Trapped	Airbag Deployed Yes	Ambulance 731021	
Alcohol • Yes • No • Refused • OPBT • Not Offered • Breath • Blood • Urine				Test Results		Drugs • Yes • No • Blood • Urine		Test Results Citation Issued • Hazardous • Other	
Vehicle Registration 3JDW26	State MI	Insurance/Policy # STATE FARM G240381B0222H			Towed To/By # MIKES / MIKES		Special Vehicles/Private Trailer Type Vehicle Defect		
VIN 5GAKRCED5CJ419974	Vehicle Description BUICK		Model ENCLAVE	Color GRY		Year 2012	Vehicle Type Passenger Car		
Location of Greatest Damage 01	First Impact 01	Extent of Damage 05	Driveable No	Vehicle Direction N	Vehicle Use 01 - Private		Action Prior 01 - Going Straight Ahead		
Sequence of Events (• Indicates MOST harmful event)				First • 17 - Motor veh In transport	Second	Third	Fourth		

PASSENGERS	Passenger Information VALINA ANN JAMES 5061 BURT RD BIRCH RUN MI 48415				Date of Birth (Age) 06/11/1968 (44)	Sex F	Position 03	Restraint 04	Hospital 730061
	Injury A				Airbag Deployed Yes	Ejected	Trapped	Ambulance 731021	
	Passenger Information JACQUELINE KAY KAMINSKI 2316 INDIAN TRAIL RD CUSTER MI 49405				Date of Birth (Age) 01/25/1953 (60)	Sex F	Position 04	Restraint 05	Hospital 730061
	Injury A				Airbag Deployed Yes	Ejected	Trapped	Ambulance AIRLFT	
	Passenger Information				Date of Birth (Age)	Sex	Position	Restraint	Hospital
PASSENGERS	Passenger Information				Date of Birth (Age)	Sex	Position	Restraint	Hospital
	Injury				Airbag Deployed	Ejected	Trapped	Ambulance	
	Passenger Information				Date of Birth (Age)	Sex	Position	Restraint	Hospital
	Injury				Airbag Deployed	Ejected	Trapped	Ambulance	
PASSENGERS	Passenger Information				Date of Birth (Age)	Sex	Position	Restraint	Hospital
	Injury				Airbag Deployed	Ejected	Trapped	Ambulance	
	Passenger Information				Date of Birth (Age)	Sex	Position	Restraint	Hospital
	Injury				Airbag Deployed	Ejected	Trapped	Ambulance	

Carrier Information				Carrier Source	GVWR	ICCMC	USDOT	MPSC
Interstate/Intrastate	Vehicle Type	Type and Axle Per Unit First Second Third Fourth	Cargo Body Type	Medical Card	Hazardous Material • Placard • Cargo Spill	ID #	Class #	
Driver's CDL Type				Endorsements • OH • OP • OT • ON • OS • OX	CDL Exempt • Farm • Other	CDL Restrictions • 028 • 029 • 030 • 035 • 036		

Owner Information	Owner Information
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Witness Information	Witness Information
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Investigated at Scene Yes	Reported Date (Time) 05/30/2013 (15:23)	1st Investigator Name (Badge) Dep. MICHAEL ANDREOTTI (237)	2nd Investigator Name (Badge)	Photo By
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Narrative Vehicle #1 was travelling south bound on Dixie when it attempted a left turn onto east bound Curtis Rd. As it attempted the turn it struck head on with
External #: 105515 Incident #: 1317302114

